

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

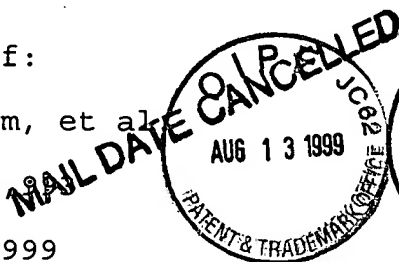
In re Application of:

Shlomo BEN-HAIM, et al

Serial No.: 09/254,989

Filed: March 12, 1999

For: DRUG-DEVICE COMBINATION FOR CONTROLLING
THE CONTRACTILITY OF MUSCLES



RECEIVED

NOV 01 1999

Group 3700

August 12, 1999

Asst. Commissioner for Patents
Washington, D. C. 20231

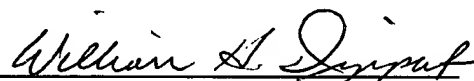
REQUEST FOR CORRECTED FILING RECEIPT

S I R:

Enclosed is the original Filing Receipt concerning the above application, where the name of the country indicated for "Foreign Application" has been erroneously represented as "Iceland." The correct country wherein the priority application was filed is "Israel" (IL) not Iceland (IS). Please see the enclosed copies of each of the first pages of (1) the Declaration where Israel is indicated as the country in which the foreign priority application was filed, and (2) PCT Publication No. WO 98/10829, which is the PCT publication of Israeli PCT International Application No. PCT/IL97/00232, which also clearly indicates that the priority application is an Israeli (IL) application.

Please correct the Patent and Trademark Office records and issue a corrected Filing Receipt.

Respectfully submitted,



William H. Dippert
Registration No. 26,723

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER & FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/254,993 03/12/99	3737	\$2,046.00	20066-10	8	60	7

WILLIAM H DIPPERT
COWAN LIEBOWITZ & LATMAN
1133 AVENUE OF THE AMERICAS
NEW YORK NY 10036-6799

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

SHLOMO BEN-HAIM, HAIFA, ISRAEL; NISSIM DARVISH, HAIFA, ISRAEL; YUVAL MIKA, HAIFA, ISRAEL; MAIER FENSTER, PETACH TIKVA, ISRAEL.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/IL97/00232 07/09/97

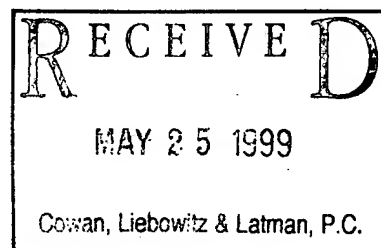
FOREIGN APPLICATIONS- ICELAND 119261 09/17/96

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 05/20/99

TITLE

DRUG-DEVICE COMBINATION FOR CONTROLLING THE CONTRACTILITY OF MUSCLES

PRELIMINARY CLASS: 607



DOCKETED

DATA ENTRY BY: LA SANE, LATICIA

TEAM: 11 DATE: 05/20/99

[illegible]

(see reverse)

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

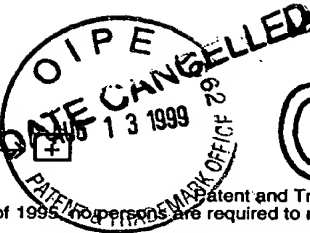
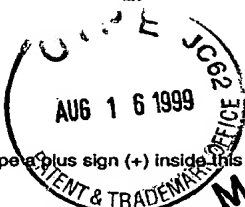
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.11. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.62 which meets the provisions of 37 CFR 5.15(a). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR Parts 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "FOREIGN FILING LICENSE GRANTED" DOES NOT appear on the reverse side of this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



COPY

Please type a plus sign (+) inside this box

PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

- ☐ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 20066-10

First Named Inventor Shlomo BEN-HAIM et al

COMPLETE IF KNOWN

Application Number / to be assigned

Filing Date to be assigned

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DRUG-DEVICE COMBINATION FOR CONTROLLING THE CONTRACTILITY OF MUSCLES

the specification of which (Title of the Invention)

- ☒ is attached hereto
OR

☐ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number [] and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
119261	Israel	09/17/1996	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/026,392	09/16/1996	

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FILE COPY

FILE NUMBER 09/254,993	FILING DATE 03/12/99	CLASS 607	GROUP ART UNIT 3737	ATTORNEY DOCKET NO. 20066-10
---------------------------	-------------------------	--------------	------------------------	---------------------------------

APPLICANT SHLOMO BEN-HAIM, HAIFA, ISRAEL; NISSIM DARVISH, HAIFA, ISRAEL; YUVAL MIKA, HAIFA, ISRAEL; MAIER FENSTER, PETACH TIKVA, ISRAEL.

CONTINUING DOMESTIC DATA***
VERIFIED

371 (NAT'L STAGE) DATA***
VERIFIED THIS APPLN IS A 371 OF PCT/IL97/00232 07/09/97

RECEIVED
NOV 10 1999
Group 3700

FOREIGN APPLICATIONS***
VERIFIED ISRAEL 119261 09/17/96

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 05/20/99

Foreign Priority claimed 35 USC 119 (a-d) conditions met Verified and Acknowledged	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	STATE OR COUNTRY ILX	SHEETS DRAWING 8	TOTAL CLAIMS 60	INDEPENDENT CLAIMS 7
--	---	-------------------------	---------------------	--------------------	-------------------------

ADDRESS WILLIAM H. DIPPERT
COWAN LIEBOWITZ & LATMAN
1133 AVENUE OF THE AMERICAS
NEW YORK NY 10036-6799

TITLE DRUG-DEVICE COMBINATION FOR CONTROLLING THE CONTRACTILITY OF MUSCLES

FILING FEE RECEIVED \$2,046	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT NO. _____ for the following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
--------------------------------	---	---

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau

COPY

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification

A61N 1/362

A1

(11) International Publication Number:

WO 98/10829

(43) International Publication Date:

19 March 1998 (19.03.98)

(21) International Application Number:

PCT/IL97/09232

(22) International Filing Date:

9 July 1997 (09.07.97)

(30) Priority Data:

60/026,392

16 September 1996 (16.09.96)

119261

17 September 1996 (17.09.96)

(71) Applicant (for all designated States except US): NEW TECHNOLOGIES (SA-YSY) LTD. [IL/IL]; P.O. Box 8044, 31080 Haifa (IL).

(72) Inventors; and

(75) Inventors/Applicants (for US only): BEN-HAIM, Shlomo [IL/IL]; Yeffy Nof Avenue 101, 34454 Haifa (IL). DARVISH, Nissim [IL/IL]; Hantke Street 22a, 34606 Haifa (IL). MIKA, Yuval [IL/IL]; Bet-Lechem Street 49, 35567 Haifa (IL). FENSTER, Maier [IL/IL]; Brande Street 61, 49600 Petach Tikva (IL).

(74) Agents: LUZZATTO, Kfir et al.; Luzzatto & Luzzatto, P.O. Box 5352, 84152 Beer-Sheva (IL).

(51) Designated States: AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GR, HU, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).

Published

With international search report.

(54) Title: DRUG-DEVICE COMBINATION FOR CONTROLLING THE CONTRACTILITY OF MUSCLES

(57) Abstract

An apparatus for the combined drug/electric-stimulation treatment of a cardiac muscle comprises circuitry (S) for creating a non-excitatory electric potential between at least two points (R1, R2) located in the vicinity of a muscle (H). A method for the combined drug/electric-stimulation treatment of a cardiac muscle, using the apparatus, involves controlling the start time, duration, and magnitude of the electric current flowing between said at least two points, to impart a desired change in cardiac muscle performance.

